IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

AND
THE HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT PETITION No.12056 of 1999

Between:

1.Smt.K.Prasunamma, W/o.S.Penchala Reddy,
Flat No.101, Block-I, B-86, Mallareddy Towers,
Madhuranagar, Hyderabad-38.
2.Ms.R.Bhramara Sree, D/o.R.Krishna Murthy
H.No.8-3-1116/2, "DWARAKA", Kesavanagar,
Hyderabad-500 873.
3.N.Srinivas, S/o.N.Lingaiah,
Room No.35, Bhagirathi Hostel, Osmania University Campus,
Hyderabad.
4.Ms.P.Malathi, D/o.late P.Ramdas,
H.No.6-3-277 New Bhoiguda,
Secunderabad.

..... PETITIONERS

AND

1.The State of A.P., rep. by its Principal Secretary,
Higher Education Department, Secretariat, Hyderabad.
2.The Commissioner Collegiate Education, Nampally, Hyderabad.
3.The A.P.College Service Commission rep. by its Chairman,
Gaganvihar, Nampally Road, Hyderabad.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to

issue an appropriate order or writ or direction under Art.226 of the Constitution of India particularly one in the nature of writ of mandamuas directing the respondents herein to fill up all the existing vacancies of Lecturers in the Government Degree Colleges and also the posts of Lecturers which are entitled for UGC grant in aided private degree colleges by the candidates who became qualified through NET/SLET since 1992 irrespective of the age in order to maintain the standards of higher education as directed by the UGC after calling for the records.

Counsel for Petitioners: Mr.PRATTIPATI VENKATESWARLU

Counsel for the Respondents: G.P. FOR HIGHER EDUCATION

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

The writ petition has been filed in public interest litigation by four petitioners who are qualified in U.G.C. National Eligibility Test and A.P. College Service Commission test, questioning the action of the respondents in continuing the Part-Time Lecturers and giving promotion to those who are already in service thereby giving a go-bye to the U.G.C. Rules and Regulations.

Learned counsel for the petitioners has drawn our attention to various Government Orders, which have been brought by the Government, and also to the guidelines issued by the U.G.C.

As the petitioners have not challenged the Government Order concerned, we do not find any ground to grant the relief.

Learned counsel for the petitioners submits that he may be permitted to withdraw the writ petition with liberty to file a fresh comprehensive writ petition questioning the legality and validity of the Government Order.

Permission sought for is granted and the writ petition is dismissed as withdrawn with leave and liberty granted to the petitioners to file a fresh writ petition. No costs.

DEVINDER GUPTA, C.J.

20th September 2004.

_____ B.SESHASAYANA REDDY, J.

ARS

To

1.The State of A.P., rep. by its Principal Secretary,
Higher Education Department, Secretariat, Hyderabad.
2.The Commissioner Collegiate Education, Nampally, Hyderabad.
3.The Chairman, A.P.College Service Commission,
Gaganvihar, Nampally Road, Hyderabad.

4.Two C.Cs. to Govt. Pleader for Higher Education, High Court Bldgs., Hyderabad (OUT).

5.Two C.D. copies.